

**CIVIL RIGHTS COMPLIANCE REVIEW REPORT
FOR
DEL NORTE COUNTY
DEPARTMENT OF HEALTH & SOCIAL SERVICES
Conducted
MARCH 11-13, 2008**

**California Department of Social Services
Human Rights and Community Services Division
Civil Rights Bureau
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Reviewer

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CIVIL RIGHTS COMPLIANCE REVIEW REPORT

I. INTRODUCTION

The purpose of this review by the California Department of Social Services (CDSS) Civil Rights Bureau (CRB) staff was to assess the Del Norte County Department of Social Services with regard to its compliance with CDSS Manual of Policies and Procedures (MPP) Division 21 Regulations, and other applicable state and federal civil rights laws.

An on-site compliance review was conducted on March 11-13, 2008. An exit interview was held on March 13, 2008 to review the findings.

The review was conducted in the following locations:

Name of Facility	Address	Programs	Non-English languages spoken by a substantial number of clients (5% or more)
CWD Main Building	880 Northcrest Drive Crescent City, CA	NAFS, IHSS, CHILDREN SERVICES	
Workforce Center	286 M Street, Suite B Crescent City, CA	CalWORKS	

II. SUMMARY OF METHODOLOGY

In preparing for this review, CDSS staff completed the following tasks:

- Reviewed the 2007-2008 Annual Civil Rights Plan submitted by the County.
- Reviewed the civil rights discrimination complaint database for a complete listing of complaints filed against the County for the last year.

Headquarters and on-site review procedures included:

- Interviews of public contact staff
- Survey of program managers
- Case file reviews
- Facility inspections

Each site/program was reviewed for compliance in the following areas:

- Dissemination of Information
- Facility Accessibility for Individuals with Disabilities
- Bilingual Staffing/Services for Non-English-Speaking Clients
- Accessibility for Clients with Visual or Hearing Impairments
- Documentation of Client Case Records
- Staff Development and Training
- Discrimination Complaint Procedures

Here is a summary of the sources of information used for the review:

Interviews Conducted of Public Contact Staff

Classifications	Total	Bilingual
Eligibility Workers	8	2
Children Social Workers	3	1
Adult Program Workers	3	0
Employment Worker	3	0
Receptionist/Screeners	1	0
Totals	18	3

Program Manager Surveys

Number of surveys distributed	2
Number of surveys received	2

Reviewed Case Files

Total Case files reviewed	55
Non-English or limited-English speakers' case files reviewed	27
Languages of clients' cases	Spanish, Hmong

Sections III through VIII of this report contain specific Division 21 civil rights requirements and present field review findings regarding the county's compliance with each requirement. The report format first summarizes each requirement, then the actual review team findings, including appropriate comparisons. This format is an effort to validate the application of policies and procedures contained in the annual plan. Required corrective actions are stated at the end of each section.

Section IX of the report is reserved for a declaration of overall compliance.

III. DISSEMINATION OF INFORMATION

Counties are required to disseminate information about program or program changes and about how applicants and recipients are protected by the CDSS regulations (Division 21). This dissemination should occur through outreach and information to all applicants, recipients, community organizations, and other interested persons, including non- and limited-English speakers and those with impaired hearing or vision or other disabling conditions.

A. Findings

Access to Services, Information and Outreach	Yes	No	Some-times	Comments
Does the county accommodate working clients by flexing their hours or allowing applications to be mailed in?	X			An applicant/recipient may contact the agency by phone, fax or email.
Does the county have extended hours to accommodate clients?	X			An applicant/recipient may contact the agency by phone, fax or email. They will work out a schedule convenient for both parties.
Can applicants access services when they cannot go to the office?	X			An applicant/recipient may contact the agency by phone, fax or email.
Does the county ensure the awareness of available services for individuals in remote areas?	X			The county collaborates with other agencies in the community through various group meetings and wraparounds.

Signage, posters, pamphlets	Yes	No	Some-times	Comments
Does the county use the CDSS pamphlet "Your Rights Under California Welfare Programs" (Pub 13)? Is the pamphlet distributed and explained to each client at intake and re-certification?	X			It is provided to client at initial screening process and re-certification.
Was the current version of Pub 13 available in English, Spanish, Lao, Vietnamese, Chinese, Hmong, Russian, Korean, Farsi, Arabic, Laotian, Tagalog, Armenian and Cambodian?		X		[Repeat Finding] At the 286 M Street Office, they did not have the Pub 13 in the languages required.
Was the Pub 13 available in large print, audiocassette and Braille?	X			Staff interviewed was aware of availability and location.
Were the current versions of the required posters present in the lobbies?	X			
Did the workers know the location of the required posters with the Civil Rights Coordinator's name and address?	X			Staff interviewed was aware of the location of required posters.
Were there instructional and directional signs posted in waiting areas and other places frequented by a substantial number of non-English-speaking clients translated into appropriate languages?	X			

B. Corrective Actions

Informational Element	Corrective Action Required
Translated Pub 13	County of Del Norte Health and Human Services <u>shall ensure that the current version of the Pub 13 is available in all languages</u> translated by CDSS and that the available translated versions are given to the clients in their primary language. <u>Div. 21-115.2</u>

The most recent version for each of the above referenced documents is:

Pub 13	"Your Rights under California Welfare Programs"	03/07
Pub 86	"Everyone is Different, but Equal Under the Law"	03/07
Form AD 475B	"And Justice for All"	12/99

Contact your program consultant to receive the most recent versions, or download the Pub 13 from the CRB website http://www.dss.cahwnet.gov/civilrights/YourRights_498.htm.

IV. FACILITY ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

The Americans with Disabilities Act (ADA) requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from the services available. The federal regulations require that architectural and communication barriers that are structural must be removed in public areas of existing facilities when their removal is readily achievable; in other words, easily accomplished and able to be carried out without much difficulty or expense.

The facility review is based on four priorities supported by the ADA regulations for planning achievable barrier removal projects. The priorities include ensuring accessible approach and entrance to the facility, access to goods and services, access to restrooms, and any other measures necessary.

Note that the references to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) in the Corrective Action column refer to the federal Standards for Design. Title 24 of California Code and Regulations (T24 CCR) is also cited because there are instances when California state law is stricter than ADAAG specifications.

The county must ensure that programs and activities are readily accessible to individuals with disabilities. This includes building accessibility and availability of accessible parking as well as accessibility of public telephones and restrooms.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 880 Northcrest Drive, Crescent City

Facility Element	Findings	Corrective Action
<p>Parking</p>	<p>[Repeat finding] There is no signage “unauthorized parking” signage at entrance to off-street accessible parking.</p> <p>Signage on pavement does not clearly depict a wheelchair w/occupant.</p> <p>[Repeat finding] There was “No Parking” signage painted on pavement in access aisles.</p>	<p>[Corrective action required] Additional sign shall be posted in conspicuous place at entrances to off-street parking facilities, or adjacent to and visible from each space. Sign shall be 17” by 22” min. in size with lettering 1” min. high, stating: “Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner’s expense. Towed vehicles may be reclaimed at _____ or by telephoning _____.” (CA T24 1129B.5) p. 133</p> <p>Repaint - Pavement signage shall be 36” x 36” minimum, white on blue in color, <u>visible</u> and centered. (CA T24 1129B.5.1 & 2) p. 133.</p> <p>[Corrective action required] The words “No Parking” shall be painted on the ground in each 5’ or 8’ loading and unloading access aisle in white letters no smaller than 12”. (CA T24 1129B.4.1 & 2) p. 135.</p>

	* There was an accessible space which had no Freestanding sign, but had signage on pavement.	Sign height shall be 80" minimum from bottom of sign to top of finish grade. (CA T24 1129B.5, ADA 4.6.5) p. 133 Wall signage shall be centered 36" minimum above grade, ground, or sidewalk at the interior end of space. (CA T24 1129B.5) p. 133
Main Entrance Doors	There are two sets of doors upon entering the building; the pressure to open both doors is too heavy.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11 (2) (a) &(b) p. 195.
Men's Restroom	Force to open door is excessive. Faucet control unable to work with one hand or closed fist with 5 lbs. maximum force. Toilet Tissue Dispenser is not located within 12" of the front edge of toilet.	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11 (2) (a) &(b) p. 195. Faucet controls and operating mechanisms are operable with one hand and do not require tight grasping, pinching, or twisting of the wrist. If self closing valves are used, faucet remains open a minimum of 10 seconds. (CA T24 1115B.2.1.2.1., ADA 4.27.4, ADA 4.19.4) p 267 Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp. 275, 269
Women's Restroom	Force to open door is excessive. Toilet Tissue Dispenser is not located within 12" of the front edge of toilet	Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11 (2) (a) &(b) p. 195. Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp. 275, 269

B. Recommendation

The accessible parking space that did not have proper signage could be eliminated. There would still be an adequate number of accessible.

A. Findings and Corrective Actions

Regulations cited are from the Title 24, California Code of Regulations (T24 CCR) and ADAAG.

Facility Location: 286 M Street, Suite B, Crescent City

Facility Element	Findings	Corrective Action
Parking	<p>Accessible space does not meet minimum requirements, the length is too short.</p> <p>Van-Accessible space does not meet minimum requirements; 9' wide, 18' long, 8' access on passenger side. Second space that is marked Van-Accessible, the space and access aisle does not meet measurement requirements.</p> <p>Signage on pavement does not clearly depict a wheelchair w/occupant.</p>	<p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135</p> <p>Access aisle shall be 18' x 5' minimum for cars. (CA T24 1129B.4.1 & 2, ADA 4.6.3) p. 135</p> <p>Length of parking space shall be at least 18' long, 9' wide. (CA T24 1129B.4.1) p. 135</p> <p>Van access aisle shall be 18' x 8' minimum on passenger side. (CA T24 1129 B.4.1, ADA 4.6.3) p. 135</p> <p>Paint - Pavement signage shall be 36" x 36" minimum, white on blue in color, <u>visible</u> and centered. (CA T24 1129B.5.1 & 2) p. 133.</p>

Women's Restroom	<p>No ISA signage found on the wall, <u>adjacent to the latch side of the door.</u></p> <p>Force to open door is excessive.</p> <p>[Repeat Finding] Toilet Tissue Dispenser was not located within 12" of the front edge of toilet and 19" minimum in height. (<u>On the floor</u>)</p>	<p>Door sign and wall sign shall be 60" above the floor.</p> <p>For permanent identification, the sign shall be installed on the wall adjacent to latch outside of door. If there is no space, including at double leaf doors, the sign shall be placed on nearest adjacent wall, preferably on the right. (CA T24 1117B.5.7, ADA 4.30.6) p. 263</p> <p>Raised characters shall be raised 1/32" minimum and shall be Sans Serif upper case characters accompanied by Grade 2 Braille. (CA T24 1117B.5.5.1, ADA 4.30.4) p. 263</p> <p>Force to open doors, exterior and interior is 5 pounds maximum (CA T24 1133B.2.5, ADA 4.13.11 (2) (a) &(b) p. 195.</p> <p>[Corrective action required] Toilet tissues dispensers are located on the wall within 12" of front edge of toilet seat. (CA T24 1115B.9.3) pp. 275, 269</p> <p>Toilet paper dispenser minimum height from floor is 19". (ADA 4.16.6) pp. 275, 269</p>
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V. PROVISION FOR SERVICES TO APPLICANTS AND RECIPIENTS WHO ARE NON-ENGLISH-SPEAKING OR WHO HAVE DISABILITIES

Counties are required by Division 21 to ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English-speaking population and individuals with disabilities without undue delays. Counties are required to collect data on primary language and ethnic origin of applicants/recipients (identification of primary language must be done by the applicant/recipient).

Using this information, a county may determine 1) the number of public contact staff necessary to provide bilingual services, 2) the manner in which they can best provide interpreter services without bilingual staff and 3) the language needs of individual applicants/recipients. Counties must employ an appropriate number of certified bilingual public contact employees in each program and/or location that serves a substantial number of non-English-speaking persons. In offices where bilingual staff are not required because non-English-speaking persons do not represent a substantial number, counties must provide effective bilingual services through interpreter or other means.

Counties must also provide auxiliary aids and services, including Braille material, taped text, qualified interpreters, large print materials, telecommunication devices for the deaf (TDD's), and other effective aids and services for persons with impaired hearing, speech, vision or manual skills. In addition, they must ensure that written materials be available in individuals' primary languages when the forms and materials are provided by CDSS, and that information inserted in notices of action (NOA) be in the individuals' primary language.

A. Findings from Program Manager Surveys, Staff Interviews and Case File Reviews

Question	Yes	No	Some-times	Comments
Does the county identify a client's language need upon first contact? How?	X			The client can identify language by the I Speak language cards kept up front at reception.
Does the county use a primary language form?	X			The county has a Language Preference and Auxiliary Aid Identification Form.
Does the client self-declare on this form?	X			
Are non-English- or limited- English-speaking clients provided bilingual services?	X			The Del Norte County has certified bilingual workers who speak Spanish and Hmong, and has access to Language Line.
After it has been determined that the client is limited-English or non-English speaking, is there a county process for procuring an interpreter?	X			Through their bilingual workers or Language Line.
Is there a delay in providing services?		X		

Question	Yes	No	Some-times	Comments
Does the county have a language line provider, a county interpreter list, or any other interpreter process?	X			There are both a bilingual worker roster and Language Line.
Are county interpreters determined to be competent?	X			There is an informal process, however the person has already served in the capacity of interpreter and has recommendation from a previous employer. Currently researching Merit Systems.
Does the county have adequate interpreter services?	X			There are bilingual workers that speak Spanish and Hmong; if another language is needed staff would call the Language Line.
Does the county allow minors to be interpreters? If so, under what circumstances?		X		
Does the county allow the client to provide his or her own interpreter?	X			Interpreter must be over 18 yrs old, and sign the Confidential Agreement Form and Self Provided Interpreter Form.
Does the county ensure that the client-provided interpreter understands what is being interpreted for the client?	X			By declaring on the Self Provided Interpreter Form, and asking client if they understand.
Does the county use the CDSS-translated forms in the clients' primary languages?	X			Yes, forms are available on-line.
Is the information that is to be inserted into NOA translated into the client's primary language?	X			The client indicates their primary language on the SAWS1 Form; it is then indicated on CALWIN which generates the language indicated.

Question	Yes	No	Some-times	Comments
Does the county provide auxiliary aids and services, TDD's and other effective aids and services for persons with impaired hearing, speech, vision or manual skills, including Braille material, taped text, large print materials (besides the Pub 13)?	X			Staff interviewed was aware of all auxiliary aids available.
Does the county identify and assist the client who has learning disabilities or a client who cannot read or write?	X			Staff interviewed stated that they would assist the clients by reading and ensuring the client understood what was being addressed
Does the county offer screening for learning disabilities?	X			In the WTW program, they utilize a paper tool to screen for learning disabilities.
Is there an established process for offering screening?	X			It is offered at appraisal to anyone.
Is the client identified as having a learning disability referred for evaluation?	X			The client signs a release of information and worker prepares a narration to send to the college, with a copy of the learning disability tool.

VI. DOCUMENTATION OF APPLICANT/RECIPIENT CASE RECORDS

Counties are required to ensure that case records document applicant's/recipient's ethnic origin and primary language, the method used to provide bilingual services, information that identifies an applicant/recipient as disabled, and an applicant's/recipient's request for auxiliary aids and services.

A. Findings from Case File Reviews and Staff Interviews

Documented Item	Children's Services	Adult Programs	WTW/ CalWORKs	Non-Assisted Food Stamps
Ethnic origin documentation	Emergency Referral Request -ERR	SOC 295	SAWS1	SOC 341
Primary language documentation	Emergency Referral Request -ERR	SOC 295	SAWS1	SOC 341
Method of providing bilingual services and documentation	In court documents, or case file narration.	Case file notes	None noted	Case comments
Client provided own interpreter	In court documents, or case file narration.	Case file notes (none found in sample)	Case file notes (none found in sample)	Case comments (none found in sample)
Method to inform client of potential problem using own interpreter	Verbally explain and Notice Understanding Use of Self – Provided Interpreter	Verbally explain and Notice Understanding Use of Self – Provided Interpreter	Verbally explain and Notice Understanding Use of Self – Provided Interpreter	Verbally explain and Notice Understanding Use of Self – Provided Interpreter
Release of information to Interpreter	Notice Understanding Use of Self – Provided Interpreter	Notice Understanding Use of Self – Provided Interpreter	Notice Understanding Use of Self – Provided Interpreter	Notice Understanding Use of Self – Provided Interpreter
Individual's acceptance or refusal of written material offered in primary language	None found	None found	None found	None found
Documentation of minor used as interpreter	None found	None found	None found	None found

Documented Item	Children's Services	Adult Programs	WTW/ CalWORKs	Non-Assisted Food Stamps
Documentation of circumstances for using minor interpreter temporarily	None found	None found	None found	None found
Translated notice of actions (NOA) contain translated inserts	N/A	Provided when needed.	Provided when needed.	Provided when needed.
Method of identifying client's disability	Case file notes (none found in sample)	Case file notes/ Medical report	SOF	SOF
Method of documenting a client's request for auxiliary aids and services	None found in sample	None found in sample	None found in sample	None found in sample

B. Corrective Actions

Areas of Action	Corrective Action
Documentation that bilingual services were provided.	Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. Div. 21-116.22
General	4. —Del Norte County must ensure that proper documentation is kept in the file that identifies all the required elements the following to ensure compliance with Division 21 Regulations (Div.21 21-116): [Erika: I think these CAs should reflect the categories above.] <u>to ensure compliance.</u> <u>Div. 21-116</u>

VII. STAFF DEVELOPMENT AND TRAINING

Counties are required to provide civil rights and cultural awareness training for all public contact employees, including familiarization with the discrimination complaint process and all other requirements of Division 21. The training should be included in orientation, as well as the continuing training programs.

A. Findings

Interview questions	Yes	No	Some-times	Comments
Do employees receive continued Division 21 Training?	X			Staff interviewed states training is provided once a year by UCD.
Do employees understand the county policy regarding a client's rights and procedure to file a discrimination complaint?	X			Staff was very aware of the procedures to file a complaint.
Does the county provide employees Cultural Awareness Training?	X			Cultural awareness was provided in Mar 2007
Do the CSW's have an understanding of MEPA (Multi-Ethnic Placement Act)?	X			Yes, it is also available on line.
Do the employees seem knowledgeable about the predominant cultural groups receiving services in their area?	X			Yes, staff are aware they have Spanish and Hmong cultures in their community.

B. Corrective action

None required

VIII. DISCRIMINATION COMPLAINT PROCEDURES

Counties are required to maintain a process for addressing all complaints of discrimination. They must track complaints of discrimination through the use of a control log in which all relevant information is kept, including when the complaint was received, the name of the complainant, identifying numbers and programs, basis of discrimination, and resolution. It is usually the Civil Rights Coordinator responsibility to maintain this log.

A. Findings from Staff Interviews and Program Manager Surveys

Interview and review areas	Yes	No	Some-times	Findings
Can the employees easily identify the difference between a program, discrimination, and a personnel complaint?	X			Staff interviewed was aware of the differences in the complaints.
Did the employees know who the Civil Rights Coordinator is?	X			All staff interviewed was aware of who the Civil Rights Coordinator is.
Did the employees know the location of the Civil Rights poster showing where the clients can file a discrimination complaint?	X			All staff knew the posters were available in lobby and interview booths.
When reviewing the complaint log with the Civil Rights Coordinator, was it complete and up to date?	X			Complaint log complete and up to date.

IX. CONCLUSION

The CDSS would like to acknowledge and thank Carmen Fong-Chavez, Civil Rights Coordinator, for her assistance and cooperation during the review. All staff was friendly and helpful during the on-site portion of the review and the interviewed staff were open and informative, and a pleasure to interview. Staff interviews revealed that they were more than happy to go the extra mile to ensure clients understood the services available to them.

The CDSS found the Del Norte County Department of Health & Social Services to be in substantial compliance with CDSS Division 21 Regulations, and other applicable state and federal laws with some exceptions.

There are some facility violations that are repeat facility violations from the 2005 report that remain uncorrected.

Del Norte County Department of Health & Social Services is not consistently documenting the case file indicating bilingual services were provided (e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter used, etc.).

Del Norte County Department of Health & Social Services must remedy the violations identified in this report by taking corrective actions. A corrective action plan must be received by CDSS within 60 days of the date of the cover letter to this report; and the plan must include a schedule by which all actions will be taken to correct the violations.

It is our intent that this report be used to create a positive interaction between the county and CDSS in identifying and correcting compliance violations and to provide the county with an opportunity to implement corrective action to achieve compliance with Division 21 regulations. Civil Rights staff is available to provide technical assistance as requested.